

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT E. COTNOIR,

Third-Party Plaintiff,

No. C 11-03864 JSW

v.

KENNETH STEVEN LUNDIE,

Third-Party Defendant.

**ORDER REGARDING
EVIDENTIARY OBJECTIONS**

Now pending before the Court are the parties' objections to various proposed exhibits for trial. (ECF No. 163.) The Court shall address each objection in turn.

- A. Exhibit 10** - Plaintiff asserts that this exhibit may not be used, pending stipulation by Defendant to certain facts contained therein. Therefore, the Court reserves ruling on this objection at this time.
- B. Exhibit 11** - The Court reserves ruling on this objection unless and until the document is offered at trial.
- C. Exhibit 16** - OVERRULED. Although this document relates to the ownership of the fishing licenses and not the vessel itself, it is relevant to whether Defendant maintained an ownership interest in the vessel.
- D. Exhibit 26** - SUSTAINED, under Federal Rules of Evidence 401 and 403.
- E. Exhibit 28** - SUSTAINED, under Rules 401 and 403.
- F. Exhibit 33** - OVERRULED, for the same reason as Exhibit 16.
- G. Exhibit 35** - OVERRULED AS MOOT. Plaintiff has withdrawn this exhibit.
- H. Exhibit 36** - OVERRULED, for the same reasons as Exhibits 16 and 33.

